

In the Claims:

Please cancel claims 40, 42 and 43.

Please amend claims 19 and 41.

Remarks

Claims 19, 27-39 and 41 are pending herein. By this Amendment, claims 19 and 41 have been amended, and claims 40, 42 and 43 have been cancelled. Claims 19 and 41 have been amended to include the contents of cancelled claims 40 and 43, respectively. Because claims 40 and 43 have been considered by the Examiner, the incorporation of their contents into claims 19 and 41, respectively, does not raise new issues. Applicants respectfully request entry of this Amendment.

In the Office Action, claims 19, 27-40 and 42 are rejected under 35 U.S.C. § 112; and claim 41 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,786,125 to Tsuchiya et al. ("Tsuchiya") in view of U.S. Patent No. 6,562,527 to Ray et al. ("Ray") and U.S. Patent No. 4,943,511 to Lazarus et al. ("Lazarus"). Claim 43 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In view of the amendments and remarks herein, Applicants respectfully request reconsideration and withdrawal of the rejections and objection set forth in the Office Action.

I. Rejection under 35 U.S.C. § 112

Claims 19, 27-40 and 42 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. According to the Office Action, the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

Instant claims 19 and 42 recite that the composition is the "outermost" coating on the lithographic printing plate. According to the Examiner, there is insufficient support in the specification for this limitation because the term "outermost" suggests that it is possible for another coating to be present which the Examiner states is inconsistent with the specification. The Examiner agrees that there is sufficient support in the specification for

the composition being the “only” coating on the support because there is no teaching or suggestion of another coating.

Claims 40 and 42 have been cancelled. Claim 19 has been amended to recite that the composition is the only coating on the lithographic printing plate. Therefore, Applicants respectfully submit that amended claim 19 and claims 27-39 satisfy the written description requirement under § 112, first paragraph.

II. Rejection under 35 U.S.C. § 103(a)

Claim 41 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya in view of Ray and Lazarus.

Tsuchiya is cited for exemplifying, in Examples 1-5, the preparation of a positive light sensitive lithographic printing plate, wherein the substrate is an aluminum plate which has been textured and anodized and which is coated with a coating solution and dried to form a primer layer. A light sensitive layer is then coated on the primer layer and dried to a weight of 2 g/m². The light sensitive layer comprises (1) a carbon black dispersion, (2) bisphenol A-formaldehyde resol resin, (3) m-cresol-formaldehyde novolak resin, (4) an acid precursor, (5) a surfactant and (6) a solvent. According to the Office Action, the use of bisphenol A-formaldehyde resol resin and m-cresol-formaldehyde novolak resin meets the limitations of the claimed dual polymer binder system wherein bisphenol A-formaldehyde resol resin is the second polymer which is the product of bisphenol A and an aldehyde and m-cresol-formaldehyde novolak resin is the first polymer which is the product of m-cresol and an aldehyde. The Examiner states that compound (III-2) exemplified in Tsuchiya's Example 1 meets the limitations of the claimed iodonium salt having a hexafluorophosphate anion. Specifically, according to the Examiner, compound (III-2) is diphenyliodonium hexafluorophosphate as set forth in instant claim 34. The Examiner further states that compounds (I-2) and (II-2), used in Examples 3 and 5, respectively, in Tsuchiya, meet the limitations of a dye derived from the oxazolyl class as set forth in instant claim 30.

The Examiner states that although it is clear that the light-sensitive layer in Tsuchiya may contain additives (col. 17, lines 49-64), the reference does not teach the

presence of a stabilizing acid in the light-sensitive layer. According to the Examiner, it would have been obvious to add a stabilizer such as a stabilizing acid to the light-sensitive layer in Tsuchiya in order to stabilize the layer over time as evidenced by the teachings in Ray.

Tsuchiya is further cited for its teaching in Example 1 therein of the application of a silicon rubber layer over the light sensitive layer and laminating with a stretched polypropylene film to obtain a light sensitive lithographic printing plate. The resulting plate was exposed with a YAG laser, the laminated film was pressed off, the plate was heated and then developed.

The Office Action states that Tsuchiya does not teach a curing step after development. The Office Action cites Lazarus for its teaching of a process wherein a positive working system was developed and then post-baked in an air circulating oven at about 150°C for 30 minutes to increase the adhesion and chemical resistance of the undissolved portions of the coatings. According to the Examiner, Lazarus discloses what is well known and conventional in the art of photolithography and that one of ordinary skill in the art would have been motivated by what is well-known and conventional in the art, as exemplified by Lazarus, to post-bake the developed system of Tsuchiya in order to increase the adhesion and chemical resistance of the undissolved portions of the coatings.

Applicants respectfully submit that Tsuchiya in view of Ray and Lazarus would not have rendered claim 41 obvious.

On page 5, paragraph 9, lines 4-6, the Office Action states that Tsuchiya does not teach or suggest “a light-sensitive lithographic printing plate comprising only the light-sensitive layer as required in instant claim 43.” Claim 41 has been amended to include the contents of cancelled claim 43, i.e., that the composition is the only coating on the lithographic printing plate. As amended, claim 41 represents the independent form of claim 43. The Office Action indicates that claim 43 presents allowable subject matter if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Thus, amended claim 41 is in allowable form.

III. Objection

Claim 43 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As noted above, claim 41, as amended, constitutes the independent form of cancelled claim 43, which depended directly from claim 41. Thus, Applicants submit that amended claim 41 is in allowable form.


IV. Conclusion

In view of the remarks and amendments herein, Applicants respectfully request that the rejections and objection set forth in the Office Action be withdrawn and that claims 19, 27-39 and 41 be allowed.

Respectfully submitted,

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